

How Hierarchical Views Of the Church Emerge

by Ron Walden

In a recent “Report to the Church” printed in the *Review and Herald*, Robert Pierson outlined the position of the Adventist leadership with regard to a number of lawsuits in California involving the denomination. This article assured church members that no change in church organization was under way, in spite of the presence in the denomination’s court briefs of some rather unusual language, such as “hierarchy” to refer to Adventist polity and “first minister” or “first elder” to refer to the General Conference president. As it happens, the briefs and affidavits filed by our church leaders and their lawyers are full of theology. These leaders placed on public record a long compendium of Adventist doctrine and life. At the heart of the doctrinal statement is a fairly clear view of the church, which all the legal documents, and Elder Pierson’s *Review* article as well, express or at least presuppose. That theological picture of the church is the subject of the present essay.

So this is not a summary of the litigation

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itself (for that see pp. 23–25 of this issue). Nor is it a discussion of the important issue of simple justice involved in the Merikay case nor of the caricatures of women which still tyrannize us. Instead, it is a series of musings about the idea of the church which Elder Pierson and his associates have made their own.

It took a dispute to force the leadership to trace the outlines of a doctrine of the church more clearly, but that should be no surprise. In Christian history, conflict is the mother of doctrinal clarity. The first doctrine ever officially legislated by the Christian church—in other words, the first “dogma”—had to do with the full divinity of Jesus, which was defined at a council called to calm an uproarious controversy. Without Arius, there would have been no Council of Nicea and no clear doctrine of the divinity of Christ. Of course, the church had acted all along as if Christ was divine; it had prayed to him from the beginning, after all, much to the scandal of the Jews; but only in A.D. 325, after a battle to the death with Arianism, did the orthodox party declare that He was “one in substance with the Father.” So, in our century, it is no surprise when a controversy spawns a clearer Adventist doctrine of the church than calm ever did.

Nor is it unusual for a clearer theory of the church to emerge from a struggle with the state. If conflict in general sharpens doctrinal clarity, conflict with civil authority in particular hones the edges of the church's teaching about its own nature. At least that is what history seems to show. The first theories of the church concentrated on the prerogatives of its central authority when these were challenged by kings. It was during the "Investiture Controversies" between the Gregorian popes and the German emperors in the last half of the eleventh century that the first full theological accounts of papal office and power were written.¹ The bone of contention was who would get to name bishops—the church or the state. At one point, the dispute climaxed in the unforgettable scene described in *The Great Controversy*,² when the Emperor Henry IV stood barefoot in the snow outside the castle at Canossa awaiting the forgiveness of Pope Gregory VII.

While the theology of the church written around 1100 focused on papal office, around 1300 we find theological tractates on the church as a whole; and once again these arise from a context of church/state conflict.³ This time the issue is not who names the church's officers, but who controls the church's property. The main *dramatis personae* are Pope Boniface VIII and Philip the Fair, king of France. The most vigorous theological defense of the church's rights to its money was Boniface's famous bull *Unam sanctam*,⁴ which has always horrified protestants. It is quite normal, then, that our own church too seeks to define its nature when it thinks the state attacks its right to name its personnel and to do what it likes with its money.⁵

Another interesting parallel is that lawyers are the first to write a theology of the church! In the Middle Ages, canon lawyers at the papal court and civil lawyers at the royal courts were the ghost-writers of the documents church leaders signed. In the 1970s, briefs and affidavits expressing a clear and important doctrine of the church have been drafted by lawyers and then submitted by (or on behalf of) church leaders. So, it is proba-

bly not fair for us to draw firm conclusions about the theology in the briefs from the interesting linguistic clues offered by the choice of vocabulary and phrasing. Indeed, Elder Pierson has asked us not to do so,⁶ because the church's lawyers are not all Adventists. But surely the *ideas* in the briefs and affidavits are the leadership's own, even if the language is not.⁷

The church leaders contend that the California litigation is a dispute about religious liberty. "It is because we feel," writes Elder Pierson, "that basic issues of religious liberty . . . are involved that we are seeking redress."⁸ The church's opening brief in the Merikay case makes the point even more sharply. "The Government seeks an injunction which would control the internal affairs of the Church and dictate the manner in which the Church carries on God's work in the world."⁹ In language that conveys a crescendo of outraged feeling, the brief goes on to complain of "impermissible governmental entanglement in church affairs"¹⁰ and insists that "the Church must and does take the position that civil officers are not to cross the threshold of Christ's church to execute their secular writs."¹¹ Indeed, the brief claims, "religion is *wholly exempt* from civil law."¹² Even when the church does obey, "obedience to civil law is not for its own sake; it is only one aspect of obedience to God's law. . . . The Church strives to comply, not because it regards all or even some civil laws as binding upon it, but solely in obedience to the higher law of God."¹³ And, finally, "The Church claims exemption from all civil laws in all of its religious institutions; although it seeks accommodation, it draws a line of its own when dealing with Caesar."¹⁴

In the medieval controversies, too, the church claimed to be defending itself against an attack on religious liberty by the lay, civil authorities. The arguments used by Boniface VIII parallel the reasoning of the Seventh-day Adventist briefs, though Boniface's language is even more extreme:

That laymen have been very hostile to the clergy antiquity relates; and it is clearly proven by the experiences of the present time. For not content with what is their own the laity strive for what is forbidden

and loose the reins for things unlawful. Nor do they prudently realize that power over clerks or ecclesiastical persons or goods is forbidden them: . . . in many ways they try to bring them into slavery, and subject them to their authority (*Clericis laicos*, A.D. 1296).¹⁵

The one sword, then, should be under the other, and temporal authority subject to spiritual (*Unam Sanctam*, A.D. 1302).¹⁶

In both cases, the medieval and the Adventist, “religious liberty” means freedom for the *church*, freedom to carry on God’s work without interference. It does not mean freedom for the *individual*, freedom from coercion of one’s conscience by church or state in matters religious. Nor does it mean freedom for the *state*, freedom from domination by the church over the life of civil society. Rather, religious liberty means institutional freedom for the church. Elder Pierson says there are three questions involved in the present litigation:

1. Does the church have the right to determine who shall and who shall not author the books and articles printed by our publishing houses?
2. Does the church have the right to structure its own system of remunerating its workers, or does the State control this important factor in church administration?
3. Does the church have the right to employ whomsoever it will to carry on its work in institutions and other areas of its ministry?¹⁷

Each of these questions is about the institutional rights of the church.

This limited view of religious liberty was standard in Roman Catholicism until Vatican II. It is an extreme position, a defensive one, staked out by a church which saw itself under attack. For the sake of balance, we must concede that the official modern Catholic statement on the subject (the “Declaration on Religious Liberty” of the Second Vatican Council¹⁸) draws on a more complete Catholic tradition and now explicitly defends, on the basis of human dignity, the rights of all individuals and groups to hold to and practice even erroneous religious tenets

without coercion or interference. And, of course, Adventists have vigorously defended the same freedoms. But these legal documents are silent about them, since the church’s case in the California litigation evidently does not require the larger view of religious liberty.

However, if the church concentrates on institutional liberty for itself, as sometimes it must, it may risk denying personal liberty for single consciences or social liberty for the

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state. The church did not, in fact, become a puppet of the German emperors in the Middle Ages, and for that we may be glad; but it did institute the inquisition. Just so, the Adventist church will not, we hope, be run by the Department of Labor; but we must also respect the freedom of conscience due to a Merikay Silver or a Lorna Tobler.

The church’s defense of its institutional freedom in the California cases is also parallel to the position of the Roman Catholic church in its various struggles with the state. Briefly, the line of defense is: every organization of the church is in essence the church itself. After the French Revolution, the Catholic church found itself fighting against the new anticlerical European states for control of the schools. In that battle, the church insisted that the schools essentially were the church, so the state must keep its hands off them. In the high Middle Ages, the church made similar claims for the entire clergy as a group. It refused to concede to the state the right to try any cleric in civil court for any offense. If he was ordained, he was the church, and only the church could try him! The squabble that led to the martyrdom of Thomas Beckett in 1170 started when civil authority, in the per-

son of an English nobleman, tried a priest for murder and executed him. Beckett, the Archbishop of Canterbury, never disputed the facts of the case—everyone agreed that the priest had done the murder—but he insisted the priest should have been tried only in church court. So he excommunicated the nobleman, and the quarrel was on.

Similar assertions, though not so extreme, are found in the Adventist documents. “Those who work for the Seventh-day Adventist Church,” the opening brief in the Merikay case contends, “respond to a religious vocation in exactly the same sense as does a cloistered nun. Man’s law is by its very nature not applicable.”¹⁹ In the same vein, the reply brief speaks throughout of “the sacramental nature of the publishing ministry,”²⁰ and quotes Neal Wilson as saying that “it is the position of the SDA church that publishing houses are in essence the Church.”²¹ Like claims are made for Adventist schools in the affidavits and memorandum submitted in the Labor Department case.

The officers of the Pacific Press and the General Conference claim that when a religious issue is litigated, the court may ask only two questions. The first is whether the issue will indeed,

fall within the definition of “religion”? . . .

If so, the second question arises: What does the church say? If the church is a hierarchical one, as the Seventh-day Adventist Church is . . . , the resolution of the matter by whatever body in which the church reposes determination of ecclesiastical issues is conclusive. . . . In this case, that is the General Conference.

It is only to this extent, therefore, that religious doctrine can be in issue in litigation: is the asserted doctrine one we recognize as religious, and what do the elders say concerning it? Beyond these two narrow questions the Government may not go.²²

In Elder Pierson’s article, he says that when the Government does press beyond its just limits the church may simply shut its program down, or even pursue something like civil disobedience!²³

In medieval times, the church’s position required it to develop an enormous body of church law alongside civil law. Indeed, it was

a copy of that very *Codex of Canon Law* which Martin Luther burned, along with the papal bull excommunicating him, in the fateful bonfire of December 1520. Of course, all organizations need regulations and established procedures. But some Adventists are bound to regret it, if our church’s rules, written in Working Policies and Manuals and sets of “guidelines,” are invested with such extraordinary sanctions that a “Thus say the Elders” becomes the functional equivalent of a “Thus says the Lord.” Sometimes, as the passages cited above show, the church’s court papers suggest that equivalence. Then our policies start to look like an embryonic canon law.

For our theological analysis, the most striking parallel between the classical Roman Catholic doctrine of the church and the doctrine found in the Adventist court documents is this: Both concentrate the powers and essence of the church in the highest church offices. Once again, Catholic theology went far beyond the Adventist court papers, but both travel in the same direction. After the Council of Trent and up to about World War I, Catholic doctrine of the church, or ecclesiology, was almost reduced to “hierarchyology”²⁴ or even “papology.” Only the pope and his assistants counted for much, and finally, at Vatican I, an official council conceded to the pope “immediate” and “ordinary” jurisdiction over every church officer and every church member, not only in doctrinal matters but also in disciplinary ones, and declared him infallible in his solemn pronouncements on faith and morals.²⁵

By contrast, other important elements of the church were neglected, both in theology and in official statements. Not much was made of local churches and their place in the divine plan, of bishops as their representatives, of the laity, of diverse forms of genuine Christianity, even of those (such as Uniate Churches) which were loyal to the pope but not part of the Latin Church.

Perhaps it is natural for a church on the defensive to concentrate on the institutional guarantees of unity, to point to these and say, “Here is the Church.” The Catholic church

certainly did so in the four centuries preceding Vatican II. And the Adventist leadership, in their court documents, do so as well, though in a much weaker way. Again and again, the papers say, “The church has determined. . .” or “It is church doctrine. . .” or “Adventists have always taught. . .” or “The church has found Merikay at variance. . .” When one asks, Who is this “church”? the documents have a clear answer. The church is the General Conference:

So the term “General Conference” has three overlapping meanings:

- a. The embodiment of the Remnant Church as a Christian denomination, in a unified worldwide organization to which all baptized Seventh-day Adventists owe spiritual allegiance;
- b. The actual quadrennial meeting of delegates, the General Conference of the Church, the only body having authority to alter the structure of the church either in doctrine or organization;
- c. The permanent staff at world headquarters in Washington, D.C., which, acting through the Executive Committee, attends to the work of the Church between the quadrennial conferences.²⁶

This entire paragraph serves to explain the clear statement which precedes it: “The General Conference, then, is the Seventh-day Adventist Church.”²⁷

This sort of remark has an important theological function, namely, to defend the church’s unity. Naturally enough, that is what the church leaders try to do in dealing with any controversy—protect unity by rallying us round the central authority. It is quite natural, when the church seems to be attacked, to cry, “Press together, press together.” At such moments, it seems vital to say that the church *is* its highest authority, whether that authority be the pope or the General Conference Executive Committee. In times of perceived danger, there is much talk of “the voice of God on earth.”

We must understand the unfortunate expressions “hierarchy” and “first minister” in this context. In his *Review* article, Elder Pierson comes very close to apologizing for using such language. Even though the briefs do

have a section on “The Orders of Ministry,”²⁸ Elder Pierson reminds us that “we do not have various ‘orders,’ with some outranking others.”²⁹ Yet, throughout the briefs, in the Merikay case and in the Labor Department case, the church’s lawyers insist that Adventist polity is “hierarchical.” In several places in the briefs and affidavits, Elder Pierson is called, and calls himself, the “first minister” of the church. Now Elder Pierson would have us put such expressions away, as we shall gladly do.³⁰ Here we are interested only in the ideas expressed by the words. And in each case the idea seems to be to safeguard the unity of the church by emphasizing its highest authority.

The idea behind the expression “hierarchical” seems to be crucial to the church’s legal case in the Pacific Press suit.* Evidently, the reasoning goes like this: Merikay Silver sues the Press for sex discrimination. If the Press then fires Merikay, it is retaliating for her action in bringing the suit, and such retaliation is against the law. However, if the Press “is” the church, it has a right to hire only Adventists in good and regular standing, and the officials of the Press and the General Conference think that anyone who sues the church is not an “Adventist in good and regular standing.” Merikay disagrees. Who decides whether Merikay is “in good and regular standing?” Well, the church does—everyone concedes that. But does “church” here mean: a) the local congregation, as the *Church Manual* has it, b) the Press itself, which “is” the church according to the defendants’ brief, or c) the General Conference (meaning the Executive Committee)?

Evidently, there are (from the viewpoint of the law) only two kinds of churches—“hierarchical” ones, in which matters such as membership and discipline are ultimately decided by the highest authority; and “congregational” ones, in which such matters are settled by local congregations. The Press’s lawyers decided we are a “hierarchical” church, for these purposes. The Executive Committee of the General Conference has, in fact, found Merikay “at variance,” although no procedure for such a finding is established

*On this point, see John Van Horne’s article on p. 23 of this issue.

in the *Church Manual*, where questions of discipline are left to local congregations. But if the Adventist church is (for legal purposes) “hierarchical,” then the Press can fire Merikay for being a bad Adventist, because the General Conference Committee has said she is one. And that is not retaliation. (Apparently, the mere fact that the Committee based its finding only on Merikay’s persisting in her lawsuit does not count.)

But it is not the church’s only valuable quality. Another treasure of the church is its diversity. In the theology of genuinely congregational churches, diversity is the great good. Local churches are the real focus, the concrete examples of the notion “church”; local churches show forth the marvelous variety of the Christian message. All believers are “priests,” officials of the church, and if they choose some to lead out, these act on behalf of all.³¹

One flaw in congregational theory is that it slights the New Testament teaching that a minister’s authority (especially an apostle’s) comes from God and can sometimes be exer-

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cised against the consent of the congregation. Genuine hierarchical churches have the opposite problem. Church authority there is said to flow downwards from God, not upwards from the people. So “hierarchs” tend to forget that they act with, and sometimes even on behalf of, the whole people of God, that in some ways their authority depends on their accountability to the people.

So hierarchical polities emphasize unity, and congregational ones diversity. Hierarchical ministers are accountable upwards, to God; congregational ministers downwards, to the Christian people. As I understand Adventist history and polity, we wanted both

unity and diversity, both accountability to God and representative structures. So we chose a polity combining elements of each.

Even unabashedly hierarchical churches, such as the Roman Catholic church, have preserved elements of diversity and congregationalism. The ecclesiology of Vatican II carefully balances universal cohesion and local variety. It gives a place at last to the laity, as well as the hierarchy. It glories in the manifold riches of particular churches, even of non-Latin rites. It proclaims the principle of collegiality, which teaches that the pope does not exercise his authority in isolation, from above to below, but rather with and surrounded by the “college” or assembly of bishops; that bishops do not act alone in their dioceses, but together with their college of priests; that priests too are responsible to and surrounded by the lay people of their parishes. No longer (in theory at least) is obedience and submission the great churchly virtue. Vatican II insisted that the church’s ministers have responsibilities downwards and to the side, not just upwards, and that lay people have rights as well as duties. It is as though the Catholics at the Council were groping towards the kind of mixed church organization which inspired the nineteenth-century Adventist pioneers, while the modern Adventist leaders, in their court briefs, painted a vision of the church something like the one which nineteenth-century Catholics held dear.

I am sure our denominational leaders did not intend to create a new doctrine of the church when they commissioned and signed the legal documents we have reviewed. But nevertheless, as we have seen, the documents shift the center of gravity in the church towards the “hierarchical” principle and away from the “congregational” principle. Thus the documents have the effect of emphasizing structure rather than life, authority rather than freedom, the organization’s rights rather than the individual’s. Neither pole can be abandoned. Unity is important, but diversity is, too. If diversity, individual rights, freedom, life and the congregational principle are neglected, and only their opposite pole emphasized, the result is a grotesque theology of the church and a tyrannical

church organization. Because the church's legal papers tend in that direction, they have an effect on Adventist life. They are important.

This article is not written to attack the church leaders for causing these documents to be placed on public record, although my

reservations about their effect on our theology are clear enough. Instead, I think we all have a responsibility simply to remember that the church is not only like Jesus's seamless robe, but also like Joseph's coat of many colors. For Joseph, the differences were not divisive. They were beautiful.

NOTES AND REFERENCES

1. Of course, Christians appealed to the Bishop of Rome as a center of unity from very early times, as Cyprian's correspondence shows. But only at the end of the Dark Ages do we find fairly complete theological treatises on the papacy.

2. Ellen G. White, *The Great Controversy Between Christ and Satan: The Conflict of the Ages in the Christian Dispensation* (Mountain View, Calif.: Pacific Press Publishing Association, 1888), pp. 57-58.

3. See Yves Marie-Joseph Congar, *L'Eglise: De saint Augustin à l'époque moderne. Histoire des dogmes, Tome III (Christologie—Sotériologie—Mariologie), Fascicule 3.* (Paris: Editions du Cerf, 1970), ch. 9.

4. Extracts in Henricus Denzinger and Adolphus Schönmetzer (eds.), *Enchiridion symbolorum, definitionum et declarationum de rebus fidei et morum* (33rd ed.; Barcelona: Herder, 1965), sects. 870-875 and Henry Bettenson (ed.), *Documents of the Christian Church*, 2nd ed. (London: Oxford University Press, 1963), pp. 115-116.

5. Robert H. Pierson, "When the Church Is Taken to Court," *Review and Herald*, March 24, 1977, p. 6.

6. *Ibid.*, p. 7.

7. I am sure the Adventist leadership will stand by the ideas in their legal documents, even if they do regret some of the phrasing. After all, they have insisted on the same from Lorna Tobler and Merikay Silver. One of the church's documents says of a brief submitted for Sisters Tobler and Silver that "despite the fact that it is signed by their attorney, it is their brief, not hers." This is an important point, because the church's document draws theological conclusions from Merikay and Lorna's brief, saying that their brief is "chock-a-block with denial of faith in the cardinal doctrines of the church" and that, therefore,

It is clear that their present conduct has brought reproach upon the cause, that they have adhered to and taken part in a divisive and disloyal movement, and have for a long time been guilty of persistent refusal to recognize properly constituted church authority or to submit to the order and discipline of the church (Reply Brief, *EEOC v. PPPA*, 20).

In the same way, I believe, we can examine the court papers of the church officials for evidence about their views of the nature of the church, which is also, after all, a matter of doctrine, of church authority, and of the order and discipline of the church.

8. Pierson, p. 6.

9. Opening Brief, *Equal Employment Opportunity Commission v. Pacific Press Publishing Association*, p. 1. (Hereinafter cited as *EEOC v. PPPA*.)

10. *Ibid.*, p. 2.

11. *Ibid.*, p. 34.

12. *Ibid.*, p. 33.

13. *Ibid.*, pp. 32-33.

14. *Ibid.*, p. 104.

15. Bettenson, p. 113.

16. *Ibid.*, p. 115, and Denzinger, p. 873.

17. Pierson, p. 6.

18. See Walter M. Abbott and Joseph Gallagher (eds.), *The Documents of Vatican II* (New York: America Press, Association Press, 1966.)

19. Opening Brief, *EEOC v. PPPA*, p. 90.

20. See *Ibid.*, p. 32.

21. *Ibid.*, p. 24.

22. *Ibid.*, pp. 96, 97.

23. Pierson, p. 7.

24. See Yves Marie-Joseph Congar, "Bulletin d'ecclésiologie (1939-1946)," *Revue des sciences philosophiques et théologiques*, 31 (1947), 80.

25. Denzinger, sects. 3060, 3061, 3074.

26. Opening Brief, *EEOC v. PPPA*, p. 17.

27. The position of Lorna Tobler and Merikay Silver is equally clear in the church's briefs. They are not in any sense "the church"; they are schismatics:

At bottom, this is simply a case of schism. Mrs. Silver and Mrs. Tobler have decided that they know better than the Elders of the Church how the Church should behave itself. . . . The Church, *per contra*, has exercised its authority to declare that Mrs. Silver is at variance and has a tendency to ignore Christian counsel. Such disputes are not for judicial arbitrament (Opening Brief, *EEOC v. PPPA*, 73).

28. Opening Brief, *EEOC v. PPPA*, pp. 18, 19.

29. Pierson, p. 8.

30. After these words were written, however, the church's lawyers filed a *Memorandum* (dated April 15, 1977) in the Labor Department case which repeats the contention that our church is hierarchical. It is not clear now whether Elder Pierson regrets such language, as he had implied in the *Review* article, or not. More distressing still, the new *Memorandum* still refers to him as the "first elder," a curious expression which (perhaps unlike "hierarchical") adds nothing to the church's legal case.

31. For such reasons, when the church's lawyers draft, and Neal Wilson signs, a statement such as this: . . . the Seventh-day Adventist Church has a representative or "hierarchical" form of government, as distinguished from the "congregational" denominations,

it makes no theological sense, whatever its legal meaning may be. Theologically, a hierarchical polity is the opposite of a representative one. Elder Wilson's next sentence is much better:

The official position of the church is that its government is a blend of congregational and presbyterian, with elements of methodism, but can best be described as "representative."

(Wilson Aff., *Marshall v. Pacific Union Conference*, ¶ 58, p. 30; February 6, 1976.)